

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

PATRICK LEONARD TIERNEY,

Plaintiff,

v.

CARRINGTON MORTGAGE SERVICES,
LLC; AZTEC FORECLOSURE
CORPORATION OF WASHINGTON, and
THE BANK OF NEW YORK MELLON
F/K/A/ THE BANK OF NEW YORK AS
TRUSTEE FOR REGISTERED
HOLDERS OF CWABS, INC., ASSET-
BACKED CERTIFICATES SERIES 2004-
5,

Defendants.

Case No.: 20-CV-01245-RSM

**ORDER ON STIPULATED MOTION TO
REOPEN CASE, TO WITHDRAW
MOTION FOR SANCTIONS, TO
VACATE SANCTIONS ORDER, AND TO
RETURN AMOUNTS ON DEPOSIT
WITH THE COURT’S REGISTRY TO
WRIGHT, FINLAY & ZAK, LLP**

Plaintiff, Patrick Leonard Tierney (“Tierney”), Defendants Carrington Mortgage Services, LLC (“CMS”), The Bank of New York Mellon as Trustee for Registered Holders of CWABS, Inc., Asset-Backed Certificates 2004-5 (“BNYM”), and non-parties, Lukasz Wozniak (“Wozniak”) and Wright, Finlay & Zak, LLP (“WFZ”), have stipulated to reopen the case, withdraw Tierney’s Motion for Sanctions (ECF #134) (“Motion”), to vacate the order entered pursuant to that motion (ECF # 146) (“Sanctions Order”), and to return the amounts on deposit

1 with the Court's Registry to stay exclusion pending appeal. Having reviewed this Stipulated
2 Motion, the Court does hereby ORDER, ADJUDGE, AND DECREE:

- 3 1. This case is reopened for the limited purpose of adjudicating this Stipulated Motion.
- 4 2. The Motion for Sanctions at ECF # 134 is withdrawn.
- 5 3. The Sanctions Order at ECF # 146 is hereby vacated.
- 6 4. The Sanctions Award and other amounts paid by WFZ to the Clerk's Registry to stay
7 execution of the Sanctions Order pending appeal shall be returned to WFZ.
- 8 5. The Clerk is authorized and directed to draw a check on the funds deposited in the registry
9 of this court in the principal amount of \$240,000 plus all accrued interest, payable to
10 Wright, Finlay & Zak, LLP and mail or deliver the check to WFZ. WFZ is to email its
11 address and a completed IRS W-9 form to the Clerk's Office Financial Department at
12 seafin@wawd.uscourts.gov as required by LCR 67.
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15 Dated this 14th day of May, 2025.
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19 RICARDO S. MARTINEZ
20 UNITED STATES DISTRICT JUDGE
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